

Jabiru Aircraft Prevails in Defense

On April 16, 2013, Jabiru Aircraft obtained an order of dismissal from the Superior Court of the State of Arizona in *Heeswyk v. Jabiru Aircraft*.

The Van Heeswyk family had filed a wrongful death suit against Jabiru Aircraft (and several other defendants) for damages arising from the death of Gerard Van Heeswyk. Gerard Van Heeswyk was killed in 2008 when he suffered a fatal crash of his home-built Arion Lightning kit equipped with a Jabiru engine.

Jabiru's lead counsel, Alan L. Farkas of Amundsen Davis in Chicago, stated, "The evidence that Mr. Van Heeswyk himself was responsible for the accident was overwhelming and unavoidable." The National Transportation Safety Board (NTSB) seems to agree; it ultimately found that Van Heeswyk did not properly torque the attachment bolts during assembly of the propeller, leading to the in-flight separation.

As explained by Sue Woods, Jabiru's Business Manager, "No matter how many opportunities we had to settle the case, we stood by our product and we were prepared to defend this case through trial. With hundreds of our engines performing flawlessly in the aviation community, we knew the engine just didn't have the kinds of problems they claimed." The case was voluntarily dismissed by the plaintiffs.

About Jabiru Aircraft: Jabiru Aircraft Pty Ltd is an innovative and entrepreneurial young Australian company whose mission is to develop and enhance affordable flying throughout the world. Jabiru engines are now being used in more than 30 countries. They are popular for flight training and recreational markets. The Jabiru product range includes: Jabiru Type Certificated, factory manufactured aircraft; Jabiru Amateur-built or Experimental Kits; and Jabiru Aircraft Engines. In addition, Jabiru manufactures their own propellers, wheels and brakes and control system components. A range of propellers, specifically designed to complement Jabiru engines, is being developed. Jabiru is a privately owned Australian company. For more information, visit: <http://www.jabiru.net.au>.

PROFESSIONALS

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